

Cases Disposed of Without Consideration by the Court. 189 U. S.

BERNHEIMER & BRO. April 27, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Adolph G. Wolf* for petitioners. *Mr. Max J. Kohler* for respondents.

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No. 669. S. WARREN LAMSON ET AL., PETITIONERS, *v.* CHARLES F. HUTCHINS, EXECUTOR, ETC. April 27, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Wm. H. Barnum* for petitioners. No appearance for respondent.

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No. 672. THE STEAMSHIP ELY, ETC., PETITIONER, *v.* WILLIAM B. BOWRING ET AL. April 27, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. J. Parker Kirlin* and *Mr. Charles R. Hickox* for petitioner. *Mr. Wilhelmus Mynderse* for respondents.

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*Cases Disposed of Without Consideration by the Court.*

From March 2 to May 3, 1903.

No. 233. CHARLES DOHERTY, PLAINTIFF IN ERROR, *v.* STATE OF VERMONT. Error to the Supreme Court of the State of Vermont. March 2, 1903. Dismissed, on authority of counsel for plaintiff in error. *Mr. Tracy L. Jeffords* for plaintiff in error. *Mr. C. A. Prouty* for defendant in error.

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No. 184. CONTRACTING AND BUILDING COMPANY OF KENTUCKY, PETITIONER, *v.* CONTINENTAL TRUST COMPANY. March 4, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit dismissed for the want of prosecution. *Mr. Thomas Emery* and *Mr. John Ford* for petitioner. No appearance for respondent.

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No. 606. ROBERT H. BILLINGSLEA, PETITIONER, *v.* KANSAS CITY SOUTHERN RAILWAY COMPANY ET AL. March 9, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit dismissed, per stipulation. *Mr. Presley K. Ewing* and *Mr. Henry F. Ring* for petitioners. *Mr. Gardiner Lathrop*, *Mr. Thomas R. Morrow* and *Mr. S. W. Moore* for respondents.

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No. 388. JEREMIAH F. MCCARTHY ET AL., PLAINTIFFS IN ERROR AND APPELLANTS, *v.* JAMES F. MCCARTHY. Error to and appeal from the Court of Appeals of the District of Columbia. March 11, 1903. Dismissed, each party to pay its own costs in this court, per stipulation of counsel. *Mr. Chapin Brown* for plaintiffs in error and appellants. *Mr. C. C. Cole* and *Mr. Vincent A. Sheehy* for defendant in error and appellee.

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No. 283. JOSHUA M. SEARS, PLAINTIFF IN ERROR, *v.* BOARD OF STREET COMMISSIONERS OF THE CITY OF BOSTON. Error to the Supreme Judicial Court of the State of Massachusetts. April 6, 1903. Dismissed with costs, per stipulation. *Mr. Edward W. Hutchins* and *Mr. Henry Wheeler* for plaintiff in error. *Mr. Thomas M. Babson* for defendant in error.

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No. 239. SCHOONER GIBARA HABANA, ETC., APPELLANT, *v.* UNITED STATES. Appeal from the District Court of the United States for the Southern District of Florida, April 8, 1903. Dismissed, pursuant to the tenth rule. *Mr. H. A. Herbert* and *Mr. Benjamin Micou* for appellant. *The Attorney General* for appellee.

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No. 240. SCHOONER EXPRESSO, ETC., APPELLANT, *v.* UNITED STATES. Appeal from the District Court of the United States for the Southern District of Florida. April 8, 1903. Dismissed, pursuant to the tenth rule. *Mr. H. A. Herbert* and *Mr.*

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*Benjamin Micou* for appellant. *The Attorney General* for appellee.

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No. 274. JOHN LAWRENCE ET AL., TRUSTEES, ETC., PLAINTIFFS IN ERROR, *v.* BOARD OF STREET COMMISSIONERS OF THE CITY OF BOSTON. Error to the Supreme Judicial Court of the State of Massachusetts. April 13, 1903. Dismissed with costs, per stipulation. *Mr. J. H. Benton, Jr.*, for plaintiffs in error. *Mr. Thomas M. Babson* for defendant in error.

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No. 531. JOHN LAWRENCE O'BRIEN, APPELLANT, *v.* JOHN H. SHINE, UNITED STATES MARSHAL, ETC. Appeal from the Circuit Court of the United States for the Northern District of California. April 17, 1903. Dismissed with costs, on motion of *Mr. John M. Thurston* for the appellant. *Mr. John M. Thurston* for appellant. *Mr. Solicitor General Richards* and *Mr. Morgan H. Beach* for appellee.

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No. 260. V. VAN BUREN, PLAINTIFF IN ERROR, *v.* MARGARET U. MCKINLEY. Error to the Supreme Court of the State of Idaho. April 17, 1903. Dismissed with costs, pursuant to the tenth rule. *Mr. James H. Hawley* for plaintiff in error. *Mr. Edgar Wilson* for defendant in error.

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No. 270. JAMES P. WITHEROW, APPELLANT, *v.* CARNEGIE STEEL COMPANY, LIMITED. Appeal from the Circuit Court of the United States for the Southern District of New York. April 23, 1903. Dismissed with costs, pursuant to the tenth rule. *Mr. Hector M. Hitchings* for appellant. *Mr. John R. Bennett* for appellee.

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No. 262. CLEVELAND, CINCINNATI, CHICAGO AND ST. LOUIS

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RAILWAY COMPANY, PLAINTIFF IN ERROR, *v.* VILLAGE OF CLYDE, OHIO. Error to the Supreme Court of the State of Ohio. April 24, 1903. Dismissed with costs, on authority of counsel for plaintiff in error. *Mr. John T. Dye* for plaintiff in error. *Mr. Homer Metzgar* and *Mr. S. S. Richards* for defendant in error.

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No. 284. EMERSON CHAMBERLAIN, APPELLANT, *v.* PEORIA, DECATUR AND EVANSVILLE RAILWAY COMPANY ET AL. Appeal from the Circuit Court of the United States for the District of Indiana. April 27, 1903. Dismissed per stipulation. *Mr. Edward B. Whitney* for appellant. *Mr. J. M. Dickinson* for appellees.

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No. 281. VIRGINIA-CAROLINA CHEMICAL COMPANY, PETITIONER, *v.* HOME INSURANCE COMPANY OF NEW YORK ET AL. April 27, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Dismissed for the want of prosecution. *Mr. Henry A. M. Smith* for petitioner. *Mr. Augustin T. Smythe* and *Mr. Alex. C. King* for respondents.